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Date of Deposit: January 12, 2004

Attorney Docket No. 25739-024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leventhal et al.
Serial No: 10/633,179
Filed: August 1, 2003
For: RETRACTABLE RAZOR ASSEMBLY
AND PACKAGING SYSTEM FOR SAME

Examiner: Unassigned
Art Unit: 3724

MS: IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the above-identified application are the following documents:

1. Statement Filed Pursuant to the Duty of Disclosure Under 37 C.F.R. §§1.56, 1.97 and 1.98;
2. Form PTO 1449 and copies of prior art references; and
3. Return Postcard.

The Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 50-0311, and reference Attorney Docket No. 25739-024. A duplicate of this sheet is enclosed.

Respectfully submitted,

Carol H. Peters

Registration No. 45,010

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Dated: January 12, 2004

X



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STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Information Disclosure Statement has been filed:

(Check 1, 2 and/or 3 below)

1. ☐ within three months of the filing date of the National Application.
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application.
3. ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but

before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(Check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e),
(Check a or b below)

a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart of this application not more than three months prior to the filing of this Statement.

No fee is required.

b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart of this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

No fee is required.

C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

1. The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
(Check a or b below)

a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

- b. ☐ no item of information contained in this Information disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. A petition requesting consideration of the Information Disclosure Statement is attached.
3. The petition fee of \$180 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

A. ☒ The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified).

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, or the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,



Carol H. Peters
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Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
Telephone 617/348-4914
Attorneys for Applicant

Date: January 12, 2004



FORM PTO-1449(Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Express Mail Label No. ET318112028US Date of Deposit: January 12, 2004	
	ATTY. DOCKET NO. 25739-024	SERIAL NO. 10/633,179
	APPLICANT Leventhal et al.	
	FILING DATE August 1, 2003	GROUP ART UNIT: 3724

U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate
		2,053,550	9/8/36	Chodaczok	30	47	
		2,351,395	6/13/44	Broder	206	56	
		2,512,953	6/27/50	Maduff et al.	30	47	
		2,725,626	12/6/55	Baker	30	40	
		2,780,351	2/5/57	Grisel	206	56	
		3,817,636	6/18/74	Ritzenhoff	401	78	
		3,850,183	11/26/74	Gruska	132	88.7	
		4,208,144	6/17/80	Idec et al.	401	192	
		4,332,321	6/1/82	Wratschko	206	228	
		4,514,102	4/30/85	Ackerman et al.	401	78	
		5,009,004	4/23/91	Yen	30	47	
		5,465,488	11/14/95	Yaw et al.	30	41	

FOREIGN PATENT DOCUMENTS

	Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No

OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.